

FUNDING COMMITMENT REPORT

Service Provider Name: Spectrum Communications Cabling Services, Inc.
Service Provider Identification Number: 143010165

Funding Request Number: 814414
Form 471 Application Number: 311437
Form 470 Application Number: 191580000366126
Name of 471 Applicant: EL MONTE UNION HIGH SCH DIST
Applicant Street Address: 3537 JOHNSON AVE
Applicant City: EL MONTE
Applicant State: CA
Applicant Zip: 91731-3290
Entity Number: 143586
Name of Contact Person: Garrett McKay
Preferred Mode of Contact: EMAIL
Contact Information: gmckay@emuhsd.org
Funding Year: 2002 (07/01/2002 - 06/30/2003)
Funding Status: Not Funded
Contract Number: 00-01-02/03 YEAR 5
Services Ordered: Internal Connections
Site Identifier: 06 12120 01364
Billing Account Number: N/A
Allowable Vendor Selection/Contract Date: 10/12/2001
Contract Award Date: 11/07/2001
Earliest Possible Effective Date of Discount: 07/01/2002
Contract Expiration Date: 09/30/2003
Monthly Recurring Charges: \$0.00
Portion of Monthly Recurring Charges that is Ineligible: \$0.00
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00
Annual Non-Recurring Charges: \$276000.00
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$276000.00
Total Program Year Pre-Discount Amount: \$276000.00
Applicant's Approved Discount Percentage: N/A
Funding Commitment Decision: \$0.00 - Bidding Violation
Funding Commitment Decision Explanation: Similarities in Internal Connections description on Forms 470 and in description provided to SLD of the vendor selection process among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.
Technology Plan Approval Status: Approved
Wave Number: 027
Applicant Letter Date: 04/22/2003

FUNDING COMMITMENT REPORT

Service Provider Name: Spectrum Communications Cabling Services, Inc.
Service Provider Identification Number: 143010165

Funding Request Number: 814457
Form 471 Application Number: 311437
Form 470 Application Number: 191580000366126
Name of 471 Applicant: EL MONTE UNION HIGH SCH DIST.
Applicant Street Address: 3537 JOHNSON AVE
Applicant City: EL MONTE
Applicant State: CA
Applicant Zip: 91731-3290
Entity Number: 143586
Name of Contact Person: Garrett McKay
Preferred Mode of Contact: EMAIL
Contact Information: gmckay@emuhsd.org
Funding Year: 2002 (07/01/2002 - 06/30/2003)
Funding Status: Not Funded
Contract Number: 00-01-02/03 YEAR 5
Services Ordered: Internal Connections
Billing Account Number: N/A
Allowable Vendor Selection/Contract Date: 10/12/2001
Contract Award Date: 11/07/2001
Earliest Possible Effective Date of Discount: 07/01/2002
Contract Expiration Date: 09/30/2003
Monthly Recurring Charges: \$0.00
Portion of Monthly Recurring Charges that is Ineligible: \$0.00
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00
Annual Non-Recurring Charges: \$900000.00
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$900000.00
Total Program Year Pre-Discount Amount: \$900000.00
Applicant's Approved Discount Percentage: N/A
Funding Commitment Decision: \$0.00 - Bidding Violation
Funding Commitment Decision Explanation: Similarities in Internal Connections description on Forms 470 and in description provided to SLD of the vendor selection process among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.
Technology Plan Approval Status: Approved
Wave Number: 027
Applicant Letter Date: 04/22/2003

FUNDING COMMITMENT REPORT

Service Provider Name: Spectrum Communications Cabling Services, Inc.
Service Provider Identification Number: 143010165

Funding Request Number: 814467
Form 471 Application Number: 311437
Form 470 Application Number: 191580000366126
Name of 471 Applicant: EL MONTE UNION HIGH SCH DIST..
Applicant Street Address: 3537 JOHNSON AVE
Applicant City: EL MONTE
Applicant State: CA
Applicant Zip: 91731-3290
Entity Number: 143586
Name of Contact Person: Garrett McKay
Preferred Mode of Contact: EMAIL
Contact Information: gmckay@emuhsd.org
Funding Year: 2002 (07/01/2002 - 06/30/2003)
Funding Status: Not Funded
Contract Number: 00-01-02/03 YEAR 5
Services Ordered: Internal Connections
Billing Account Number: N/A
Allowable Vendor Selection/Contract Date: 10/12/2001
Contract Award Date: 11/07/2001
Earliest Possible Effective Date of Discount: 07/01/2002
Contract Expiration Date: 09/30/2003
Monthly Recurring Charges: \$0.00
Portion of Monthly Recurring Charges that is Ineligible: \$0.00
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00
Annual Non-Recurring Charges: \$200000.00
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$200000.00
Total Program Year Pre-Discount Amount: \$200000.00
Applicant's Approved Discount Percentage: N/A
Funding Commitment Decision: \$0.00 - Bidding Violation
Funding Commitment Decision Explanation: Similarities in Internal Connections description on Forms 470 and in description provided to SLD of the vendor selection process among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.
Technology Plan Approval Status: Approved
Wave Number: 027
Applicant Letter Date: 04/22/2003

FUNDING COMMITMENT REPORT

Service Provider Name: Spectrum Communications Cabling Services, Inc.
Service Provider Identification Number: 143010165

Funding Request Number: 814480
Form 471 Application Number: 311437
Form 470 Application Number: 191580000366126
Name of 471 Applicant: EL MONTE UNION HIGH SCH DIST
Applicant Street Address: 3537 JOHNSON AVE
Applicant City: EL MONTE
Applicant State: CA
Applicant Zip: 91731-3290
Entity Number: 143586
Name of Contact Person: Garrett McKay
Preferred Mode of Contact: EMAIL
Contact Information: gmckay@emuhsd.org
Funding Year: 2002 (07/01/2002 - 06/30/2003)
Funding Status: Not Funded
Contract Number: 00-01-02/03 YEAR 5
Services Ordered: Internal Connections
Billing Account Number: N/A
Allowable Vendor Selection/Contract Date: 10/12/2001
Contract Award Date: 11/07/2001
Earliest Possible Effective Date of Discount: 07/01/2002
Contract Expiration Date: 09/30/2003
Monthly Recurring Charges: \$0.00
Portion of Monthly Recurring Charges that is Ineligible: \$0.00
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00
Annual Non-Recurring Charges: \$660000.00
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$660000.00
Total Program Year Pre-Discount Amount: \$660000.00
Applicant's Approved Discount Percentage: N/A
Funding Commitment Decision: \$0.00 - Bidding Violation
Funding Commitment Decision Explanation: Similarities in Internal Connections description on Forms 470 and in description provided to SLD of the vendor selection process among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.
Technology Plan Approval Status: Approved
Wave Number: 027
Applicant Letter Date: 04/22/2003

FUNDING COMMITMENT REPORT

Service Provider Name: Spectrum Communications Cabling Services, Inc.
Service Provider Identification Number: 143010165

Funding Request Number: 814502
Form 471 Application Number: 311437
Form 470 Application Number: 191580000366126
Name of 471 Applicant: EL MONTE UNION HIGH SCH DIST
Applicant Street Address: 3537 JOHNSON AVE
Applicant City: EL MONTE
Applicant State: CA
Applicant Zip: 91731-3290
Entity Number: 143586
Name of Contact Person: Garrett McKay
Preferred Mode of Contact: EMAIL
Contact Information: gmckay@emuhsd.org
Funding Year: 2002 (07/01/2002 - 06/30/2003)
Funding Status: Not Funded
Contract Number: 00-01-02/03 YEAR 5
Services Ordered: Internal Connections
Billing Account Number: N/A
Allowable Vendor Selection/Contract Date: 10/12/2001
Contract Award Date: 11/07/2001
Earliest Possible Effective Date of Discount: 07/01/2002
Contract Expiration Date: 09/30/2003
Monthly Recurring Charges: \$0.00
Portion of Monthly Recurring Charges that is Ineligible: \$0.00
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00
Annual Non-Recurring Charges: \$240000.00
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$240000.00
Total Program Year Pre-Discount Amount: \$240000.00
Applicant's Approved Discount Percentage: N/A
Funding Commitment Decision: \$0.00 - Bidding Violation
Funding Commitment Decision Explanation: Similarities in Internal Connections description on Forms 470 and in description provided to SLD of the vendor selection process among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process.
Technology Plan Approval Status: Approved
Wave Number: 027
Applicant Letter Date: 04/22/2003

EL MONTE DISTRICT EXHIBIT 2



Universal Service Administrative Company
Schools & Libraries Division

April 22, 2003

Garett McKay
El Monte Union High Sch Dist
3537 Johnson Ave
El Monte, CA 91731 3290

Further Explanation of Administrator's Funding Decision
Form 471 Application Number: 311437
Funding Year 2002 (07/01/2002 – 06/30/2003)

Under separate cover, you are being sent a Funding Commitment Decision Letter concerning the FCC Form 471 Application Number cited above. This Funding Commitment Decision Letter denies all funding requests that are associated with Spectrum Communications Cabling Services, Inc.

Please be advised that the Funding Commitment Decision Letter is the official action on this application by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC). Please refer to that letter for instructions regarding how to appeal the Administrator's decision, if you wish to do so. The purpose of this letter is to provide you with additional information concerning the reasons for denial of these funding requests.

Information obtained during the review of your FCC Form 471 indicates that the service provider was improperly involved in the competitive bidding and vendor selection process and that the applicant was not the source of the information contained in the responses to SLD's questions regarding the competitive bidding and vendor selection process.

Federal Communication Commission (FCC or Commission) rules require applicants to submit an FCC Form 470 to USAC for posting on its website.¹ This posting enables prospective service providers to bid on the equipment and services for which the applicant will request universal service support. After the Form 470 has been posted, the applicant must wait at least 28 days before entering into agreements with service providers, comply with all applicable state and local procurement laws, and comply with FCC competitive bidding requirements.² Program rules require that the entity selecting a service provider "carefully consider all bids submitted and may consider relevant factors

¹ Schools and Libraries Universal Service, Description of Services Requested and Certification Form 470, OMB 3060-0806 (September 1999) (*FCC Form 470*).

² See 47 C.F.R. §§ 54.504, 54.11.

other than the pre-discount prices submitted by providers.”³ When allowed under state and local procurement rules, other relevant factors include “prior experience, including past performance; personnel qualifications, including technical excellence; management capability, including schedule compliance; and environmental objectives.”⁴ The FCC has stated that price should be the primary factor in selecting a bid.⁵ Once the applicant enters into agreement(s) with service provider(s), the applicant submits an FCC Form 471 to USAC.⁶ The Commission has stated that applicants cannot abdicate control over the application process to a service provider that is associated with the FCC Form 471 for that applicant.⁷

Pursuant to its authority to administer the Schools and Libraries Support Mechanism, USAC selects certain applicants for a Selective Review to ensure that they are following FCC rules relating to, among others, the competitive bidding process. Applicants who are chosen for this review are sent the “E-Rate Selective Review Information Request.” As part of this request, applicants are asked to answer certain questions regarding their competitive bidding and vendor selection process. In particular, applicants are asked to:

Please provide complete documentation indicating how and why you selected the service provider(s) selected. This documentation should include a description of your evaluation process and the factors you used to determine the winning contract(s).⁸

The person authorized by the applicant to sign on the applicant’s behalf, or the entity’s authorized representative, is required to certify that the authorized signer prepared the responses to the Selective Review Information Request on behalf of the entity.⁹

Your FCC Form 471 requests for funding was selected for a Selective Review. During the review of your application, USAC became aware of the fact that there were striking similarities in the description of the internal connections services sought on FCC Forms 470 among various applicants later associated with the same service provider. USAC further ascertained that the responses provided by various applicants associated with this particular service provider to the portion of the Selective Review questions described above seeking a description of the factors that the applicant used to determine the winning contracts contained identical language. Thus, USAC concluded that these responses had been prepared by the service provider and provided to the applicant, and

³ 47 C.F.R. § 54.511(a).

⁴ Federal-State Joint Board on Universal Service, CC Docket No. 96-45, *Report and Order*, FCC 97-157 ¶ 481 (rel. May 8, 1997); *Request for Review by the Department of Education of the State of Tennessee of the Decision of the Universal Service Administrator*, CC Docket Nos. 96-45, 97-21, FCC 99-216 ¶¶ 7-9 (rel. August 11, 1999).

⁵ *See id.*

⁶ Schools and Libraries Universal Service, Services Ordered and Certification Form 471, OMB 3060-0806 (October 2000) (*FCC Form 471*).

⁷ *In re Request for Review of Decisions of the Universal Service Administrator by Bethlehem Temple Christian School*, CC Docket Nos. 96-45, 97-21, DA-01-852 ¶ 6 (rel. Apr. 6, 2001)

⁸ E-Rate Selective Review Information Request, Funding Year 2002 at 2.

⁹ *Id.* at 15.

were not prepared by the applicant as required under the Schools and Libraries Support Mechanism.

FCC rules require applicants to "carefully consider all bids." USAC sought to ensure that you had complied with this requirement by seeking a description of your competitive bidding process, your vendor evaluation process and the factors you used to determine the winning contract. Based on the evidence described above, USAC reasonably has concluded that the description of this process that you provided to USAC appears to have been prepared by your service provider. The Selective Review Information Request requires the applicant to certify that it, or its authorized representative prepared the responses to the request. The reason for this certification is to ensure that applicants, rather than service providers, answer the questions that are properly answered by the applicant. It is inappropriate for a service provider to answer questions regarding the competitive bidding process, vendor selection, or the applicant's ability to pay the non-discount share as required by Schools and Libraries Support Mechanism rules.

USAC has concluded that the evidence described indicates that the service provider was improperly involved in the competitive bidding and vendor selection process and that the applicant did not provide the answers to these questions. Consequently, USAC has denied all funding requests from this applicant associated with this service provider.

Schools and Libraries Division

CC:

Spectrum Communications Cabling Services, Inc
226 North Lincoln Avenue
Corona, CA 92882
Attn: Robert Rivera

EL MONTE DISTRICT EXHIBIT 3

FCC Form

Approval by OMB
3060-0806**470**

Schools and Libraries Universal Service Description of Services Requested and Certification Form

Estimated Average Burden Hours Per Response: 5.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before completing.

(To be completed by entity that will negotiate with providers.)

Block 1: Applicant Address and Identifications

(School, library, or consortium desiring Universal Service funding.)

Form 470 Application Number: 191580000366126

Applicant's Form Identifier: 2002-2003-1

Application Status: CERTIFIED

Posting Date: 09/14/2001

Allowable Contract Date: 10/12/2001

Certification Received Date: 09/18/2001

1. Name of Applicant: EL MONTE UNION HIGH SCH DIST			
2. Funding Year: 07/01/2002 - 06/30/2003		3. Your Entity Number 143586	
4. Applicant's Street Address, P.O.Box, or Route Number			
a. Street 3537 JOHNSON AVE			
City EL MONTE	State CA	Zip Code 5Digit 91731	Zip Code 4Digit 3290
b. Telephone number (626) 444- 9005		c. Fax number (626) 448- 8419	
d. E-mail Address nsalerno@emuhsd.k12.ca.us			
5. Type Of Applicant (Check only one box)			
<input type="radio"/> Library (including library system, library branch, or library consortium applying as a library)			
<input type="radio"/> Individual School (individual public or non-public school)			
<input checked="" type="radio"/> School District (LEA; public or non-public[e.g., diocesan] local district representing multiple schools)			
<input type="radio"/> Consortium (intermediate service agencies, states, state networks, special consortia)			
6a. Contact Person's Name: Nick Salerno			
6b. Street Address, P.O.Box, or Route Number (if different from Item 4)			

3537 JOHNSON AVE			
City EL MONTE	State CA	Zip Code 5Digit 91731	Zip Code 4Digit 3290
6c. Telephone Number (10 digits + ext.) (626) 444- 9005			
6d. Fax Number (10 digits) (626) 448- 8419			
6e. E-mail Address (50 characters max.) nsalerno@emuhsd.k12.ca.us			

Block 2: Summary Description of Needs or Services Requested

7 This Form 470 describes (check all that apply):

- a. ☒ Tariffed services - telecommunications services, purchased at regulated prices, for which the applicant has no signed, written contract. A new Form 470 must be filed for tariffed services for each funding year.
- b. ☒ Month-to-month services for which the applicant has no signed, written contract. A new Form 470 must be filed for these services for each funding year.
- c. ☒ Services for which a new written contract is sought for the funding year in Item 2.
- d. ☐ A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous program year.

NOTE: Services that are covered by a qualified contract for all or part of the funding year in Item 2 do NOT require filing of Form 470. A qualified contract is a signed, written contract executed pursuant to posting a Form 470 in a previous program year OR a contract signed on/before 7/10/97 and reported on a Form 470 in a previous year as an existing contract.

8 ☒ Telecommunications Services

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

- a. ☐ YES, I have an RFP. Choose one of the following: It is available on the Web at _____ or via ☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

- b. ☒ NO, I do not have an RFP for these services.

If you answered NO, you must list below the Telecommunications Services you seek. Specify each **service or function (e.g., local voice service) and quantity and/or capacity (e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Telecommunications Services, and remember that only common carrier telecommunications companies can provide these services under the universal service support mechanism. Add additional lines if needed.**

Service or Function:	Quantity and/or Capacity:
900/976 Call Blocking	8 sites
ADSL	8 sites
ATM	8 sites
BASIC TELEPHONE SERVICES	8 sites
CELLULAR SERVICES	8 sites
CENTREX AND COMMON EQUIPMENT	8 sites
DSL	8 sites
DIRECTORY ASSISTANCE CHARGES	8 sites
DIRECT INWARD DIALING	8 sites
DISTANCE LEARNING	8 sites

DS-1	8 sites
FAX MACHINE LINE	8 sites
HDSL	8 sites
HIGH CAPACITY SERVICE	8 sites
INSIDE WIRE MAINTENANCE	8 sites
LAN	8 sites
LOCAL MEASURED SERVICE	8 sites
LONG DISTANCE SERVICES & CHARGES	8 sites
MESSAGE RATE SERVICE	8 sites
NETWORK ACCESS REGISTER	8 sites
PAGING SERVICES	8 sites
PERSONAL COMMUNICATIONS SERVICES	8 sites
PIC CHANGE CHARGE	8 sites
POTS	8 sites
PROGRAMMED AUDIO SERVICE	8 sites
SATELLITE SERVICES	8 sites
T-1	8 sites
TRUNK	8 sites
TOLL CHARGES	8 sites
LABOR	8 sites
MAINTENANCE & INSTALLATION	8 sites
MAN	8 sites
SHIPPING CHARGES	8 sites
TAXES, SURCHARGES AND ACCESS CHARGES	8 sites

9 ☒ Internet Access

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

a ☐ YES, I have an RFP. Choose one of the following: It is available on the Web at
or via ☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b ☒ NO, I do not have an RFP for these services.

If you answered NO, you must list below the Internet Access Services you seek. Specify each service or function (e.g., monthly Internet service) and quantity and/or capacity (e.g., for 500 users). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internet Access Services. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
BUNDLED AND/OR UNBUNDLED ACCESS	DS-3 OR GREATER
DOMAIN NAME REGISTRATION	8 sites
DS-1	8 sites
E-MAIL SERVICE	8 sites
WEB HOSTING	8 sites
LABOR	8 sites
INSTALLATION AND MAINTENANCE	8 sites
MAN	8 sites
SHIPPING CHARGES	8 sites
TAX, SURCHARGES, AND ACCESS CHARGES	8 sites
SATELLITE ACCESS TO INTERNET	8 sites
SATELLITE DISHES	8 sites

10 ☒ Internal Connections

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

a ☒ **YES**, I have an RFP. Choose one of the following: It is available on the Web at _____
or via ☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b ☒ **NO**, I do not have an RFP for these services.

If you answered NO, you must list below the Internal Connections Services you seek. Specify each **service or function (e.g., local area network) and quantity and/or capacity (e.g., connecting 10 rooms and 300 computers at 56Kbps or better). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internal Connections Services. Add additional lines if needed.**

Service or Function:	Quantity and/or Capacity:
ADDRESS BLOCKING UNIT	8 sites
ANTENNA	8 sites
AUTOMATIC ROUTE SELECTION	8 sites
BACK UP POWER SUPPLY	8 sites
BATTERY BACKUP	8 sites
BATTERY MODULE	8 sites
BROADBAND AMPLIFIER	8 sites
CABINETS AND CABINET MOUNTED POWER STRIPS	8 sites
CABLE BOXES	8 sites
CABLE MODEM	8 sites
CSU/DSU	8 sites
CIRCUIT CARD	8 sites
CODEC	8 sites
COMMUNICATIONS SERVER	8 sites
CONDUIT	8 sites
CONNECTOR	8 sites
CONSOLE PBX/CENTREX	8 sites
COPPER BACKBONE CABLING	8 sites
COUPLER	8 sites
DAT	8 sites
DMM	8 sites
DOCUMENTATION	8 sites
EDGE DEVICE	8 sites
EMMI	8 sites
ETHERNET CARD	8 sites
ETHERNET CONVERTER	8 sites
ETHERNET NETWORK MODULE	8 sites
FACEPLATE	8 sites
GRAPHICS CARDS/ADAPTERS	8 sites
HARD DISK ARRAY CONTROL	8 sites
HUB	8 sites
LAN	8 sites
LAPTOP COMPUTER	8 sites
MASTER CONTROL UNIT	8 sites
MEDIA CONVERTER	8 sites
MEDIUM ACCESS UNIT	8 sites
MODEM	8 sites
MODEM CARD	8 sites
MODEM ELIMINATOR	8 sites

MONITORS	8 sites
MPEG VIDEO ENCODER	8 sites
MULTIMEDIA KIT	8 sites
MULTIPLEXING	8 sites
MULTIPOINT CONTROL UNIT	8 sites
MULTIPOINT SERIAL CARDS	8 sites
NETWORK INTERFACE CARD	8 sites
NETWORK INTERFACE DEVICE	8 sites
ON-SITE TECHNICAL SUPPORT	8 sites
PC ATTENDANT CONSOLE	8 sites
POWER POLES	8 sites
POWER STRIPS	8 sites
PRINTER	8 sites
PBX	8 sites
PROCESSOR TERMINATOR CARD	8 sites
PROGRAMMING CHARGES	8 sites
PVBX	8 sites
RACEWAY	8 sites
RACKS AND RACK MOUNTED POWER STRIPS	8 sites
RAID	8 sites
RELAY I/O MODULE	8 sites
REMOTE ACCESS ROUTER	8 sites
REMOTE ACCESS SERVER	8 sites
ROUTERS	8 sites
SATELLITE DISHES	8 sites
SCSI	8 sites
SERVERS	8 sites
SNMP SYSTEM MANAGEMENT MODULE	8 sites
SOFTWARE	8 sites
SPEAKERS FOR PC/FILE SERVER	8 sites
SWITCHBOARD	8 sites
SWITCHES	8 sites
SYSTEM IMPROVEMENTS AND UPGRADES	8 sites
TAPE BACKUP	8 sites
TRANSCEIVER	8 sites
TX TO FX CONVERTER	8 sites
UPS	8 sites
UPS INTERFACE EXPANDER	8 sites
VIDEO AMPLIFIERS	8 sites
VIDEO CHANNEL MODULATOR	8 sites
VIDEO EQUIPMENT	8 sites
VOICE COMPRESSION MODULE	8 sites
VOICE INTERFACE CARD	8 sites
VOICE/FAX NETWORK MODULE	8 sites
WIRE MANAGER	8 sites
WIRELESS PBX ADJUNCT	8 sites
WIRING, INTERNAL	8 sites
ZIP DRIVE	8 sites
EXTENDED WARRANTY	8 sites
FREIGHT ASSURANCE FEES	8 sites
LABOR	8 sites
LEASING FEES	8 sites
MAINTENANCE INSTALLATION	8 sites

SATELLITE DISHES	8 sites
SHIPPING CHARGES	8 sites
TAXES, SURCHARGES, AND ACCESS CHARGES	8 sites

11 (Optional) Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the signer of this form.

Name: **Garett McKay** Title: **Director of Technology**

Telephone number (10 digits + ext.)
(626) 444 - 9005 4561

Fax number
(626) 443 - 7371

E-mail Address (50 characters max.)
gmckay@emuhsd.org

12. ☒ Check here if there are any restrictions imposed by state or local laws or regulations on how or when providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or give Web address where they are posted.

For internal connections seeking California Multiple Awards Schedule vendor. For telecommunications seeking CAL NET/DAS vendor.

13. (Optional) Purchases in future years: If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, summarize below (including the likely time-frames).

Block 3: Technology Assessment

14. ☐ **Basic telephone service only:** If your application is for basic local and long distance voice telephone service only, check this box and skip to Item 16.

15. Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check at least one box in (a) through (e). You may provide details for purchases being sought.

a. Desktop communications software: Software required ☒ has been purchased; and/or ☐ is being sought.

b. Electrical systems: ☒ adequate electrical capacity is in place or has already been arranged; and/or ☐ upgrading for additional electrical capacity is being sought.

c. Computers: a sufficient quantity of computers ☒ has been purchased; and/or ☐ is being sought.

d. Computer hardware maintenance: adequate arrangements ☒ have been made; and/or ☐ are being sought.

e. Staff development: ☒ all staff have had an appropriate level of training or additional training has already been scheduled; and/or ☐ training is being sought.

f. Additional details: Use this space to provide additional details to help providers to identify the services you desire.

Block 4: Recipients of Service

16. Eligible Entities That Will Receive Service:

Check the ONE choice that best describes this application and the eligible entities that will receive the services described in this application.

You must select a state if (b) or (c) is selected: **CA**

a. ☐ Individual school or single-site library: Check here, and enter the billed entity in Item 17.

b. ☐ Statewide application (check all that apply):

- ☐ All public schools/districts in the state:
☐ All non-public schools in the state:
☐ All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here. ☐ If checked, complete Item 18.

c. ☒ School district, library system, or consortium application to serve multiple eligible sites:

Number of eligible sites	8
<i>For these eligible sites, please provide the following</i>	
Area Codes (list each unique area code)	Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces
626	237, 279, 285, 286, 309, 350, 442, 443, 444, 448, $\frac{-}{-}$
If your application includes INELIGIBLE entities, check here. <input type="checkbox"/> If checked, complete Item 18.	

17. Billed Entities

Entity Name	Entity Number
EL MONTE UNION HIGH SCH DIST	143586

18. Ineligible Entities

Ineligible Participating Entity	Entity Number	Area Code	Prefix
---------------------------------	---------------	-----------	--------

Block 5: Certification

19. The applicant includes: (Check one or both)

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1965, 20 U.S.C. Secs. 8801(14) and (25), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to) elementary and secondary schools, colleges and universities.

20. All of the individual schools, libraries, and library consortia receiving services under this application are covered by:

- a. ☐ individual technology plans for using the services requested in the application
- b. ☒ higher-level technology plans for using the services requested in the application
- c. ☐ no technology plan needed; application requests basic local and long distance telephone service only.

21. Status of technology plans (if representing multiple entities with mixed technology plan status, check both a and b):

- a. ☒ technology plan(s) has/have been approved by a state or other authorized body.
- b. ☐ technology plan(s) will be approved by a state or other authorized body.
- c. ☐ no technology plan needed; application requests basic local and long distance telephone service only.

22. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.

23. ☒ I recognize that support under this support mechanism is conditional upon the school(s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.

24. ☒ I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. Signature of authorized person: ☒

26. Date (mm/dd/yyyy): 09/14/2001

27. Printed name of authorized person: Nick Salerno

28. Title or position of authorized person: Assistant Superintendent of Educational

29. Telephone number of authorized person: (626) 444 - 9005 ext. 4421

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EL MONTE DISTRICT EXHIBIT 4



El Monte Union High School District

3537 Johnson Avenue • El Monte, California 91731
(626) 444-9005 • Fax (626) 443-7371

June 19, 2002

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Education

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Dan Morris
Asst. Superintendent
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Ms. Laura Ransegnola
SLD, PIA Selective Review
80 S. Jefferson Road
Whippany, NJ 07981

Dear Ms. Ransegnola:

The intent of this letter is to provide the clarification requested on the first half of the Item 25 certification review, or the "Information Regarding the Competitive Bidding Process and Vendor Selection".

I will restate the Six Different areas of review and then follow with the District's response to each area or sites additional attachments, which are in the binder.

1. Please provide signed and dated copies of all contracts relating to your Funding Year 5 Form (s) 471. If contracts are not provided, please explain why you have not provided them. If the price on the contract is different from the pre-discount price on your Form(s) 471 please explain the difference and account for the difference. (For example, if the dollar amount on the contract is higher than the dollar amount on your Form(s) 471 indicate which services have been backed out, if that is the case. If the dollar amount on the contract is lower than the dollar amount on your Form(s) 471, explain why.)

Please see the attached contracts. (See Contract section of binder)

Contracts are not supplied for:

- 1) **Pacific Bell Local Telephone Service** – The District is charged below Tariff Rates under a negotiated CALNET Agreement for Local and Telephone Service on an ongoing month to month basis.
- 2) **Nextel** – The District is charged a month-to-month fee on an ongoing basis.
- 3) **PBI – (Pacific Bell Internet)** The District is charged an ongoing month to month basis.
- 4) **AT&T** – The District is charged at Tariff Rates for Local and Telephone Service on an ongoing month to month basis.

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2. Please provide a copy of all requests for proposals (RFP's, invitation to bid, request for bids, etc.) or other documentation of bid requests for services/products requested on each Form 471. You do not need to provide copies of Form(s) 470 that were posted to the website. If RFPs are not provided, please explain why you have not provided them.

Telecomm Services –

1) Local Telephone - No RFPs were provided. The local incumbent telecomm SBC-Pacific Bell was selected and Tariff rates are paid.

2) Long Distance - No RFPs were provided. The incumbent telecomm provider, AT&T was selected and Tariff rates are paid.

3) Nextel – No RFP was provided. The incumbent provider was used and local procurement code does not require a formal RFP for this service.

4) High Capacity Circuits (Data/Voice) – The local telephone provider, Pacific Bell, is the only provider of this service, GigaMAN, in the District's boundaries. The price paid is a regulated tariff rate.

Internet Services –

1) Pacific Bell Internet – No RFP was created. Pacific Bell Internet is the service provided by our local telephone service provider Pacific Bell. Local Procurement Code and Procedure does not require that a formal RFP be released for this service.

Internal Connections –

No RFP was created. El Monte Union High School District (EMUHSD) utilized the California Multiple Award Schedule (CMAS) as the procurement vehicle. CMAS is a pre-negotiated and competitive "master agreement" by the California Department of General Services, Procurement Division. This effectively streamlines the procurement cycle for State and Local Government Agencies as the competitive bidding process has already taken place.



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School Districts are allowed to piggyback with CMAS to procure products and services (Public Contract Code sec. 10299) from the vendor that provides the "best value". Spectrum Communications has been selected by EMUHSD based upon the following criteria:

- They have successfully completed several Information Technology Projects for EMUHSD in the past, with minimal change orders.
- Spectrum has exceeded expectations above and beyond the requirements of the Scopes of Work.
- Spectrum has provided valuable assistance with project management with no additional cost to the District.
- Any and all disputes and dissatisfaction has been resolved with minimal resource impact to the District.
- They have complete and detailed knowledge of the EMUHSD Information Technology Network and function as a partner with the District and not just another vendor selling goods.
- Spectrum Communications is a qualified CMAS supplier.

3. Please provide complete copies of all bids that were received.

Please see the attached CMAS Quotations. (*See Award Bids section of binder*)

4. Please provide complete documentation indicating how and why you selected the service provider(s) selected. This documentation should include a description of your evaluation process and factors you used to determine the winning contact(s).

A. Telecomm Services – Incumbent providers were selected, by the District Business Office. Pacific Bell was selected as they are the local provider for all services.



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B. Internet Services – The ISP service provider chosen, Pacific Bell Internet, is owned by the Incumbent Telecomm that the District uses. Pacific Bell Internet was selected do to ease of payment and other business reasons.

C. Internal Connections – Spectrum Communications was selected by EMUHSD under the CMAS procurement program and other applicable procurement codes. Spectrum Communications provides the most cost-effective product, with the least amount of hassle, and exceeds District requirements for Information Technology projects. Spectrum Communications understands the Business Operations of EMUHSD, due to the many years that this vendor has been successfully utilized for Information Technology Projects. It is allowable under California Public Contract Code 10299 for EMUHSD to select Spectrum Communications under the CMAS agreement without further competitive bidding.

D. Nextel Direct – Was selected by EMUHSD as the only provider under the federal GSA agreement able to provide government rates to EMUHSD for their services.

5. Please provide a copy of the consulting agreement(s) related to the planning, implementation, and support of your E-Rate funding request(s).

EMUHSD has not, and does not have paid consultants related to the E-Rate application process. The District has requested vendor assistance with the E-Rate processes and procedures where it is allowable and necessary (such as providing information related to technical parameters, quotes, etc.), but the District takes sole responsibility for the entire E-Rate application process.

The District does use paid consultants for various technology related projects, including ERATE mandates such as CIPA, project management, and other items. These contracts can be found in the Binder, under the "Contracts" section.

6. Please provide a copy of all correspondence between your service providers and consultants and the school regarding the competitive bidding process and the application process.

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For ERATE program Year 5 EMUHSD had little or no contact from interested providers and vendors. Any communication that was received was strictly verbal, and, upon learning of EMUHSD's procurement vehicles (ie: CMAS, CALNET, and GSA) these vendors were not interested. For this reason, no documentation is included.

Ms. Ransegnola, I sincerely hope that the information provided is sufficient for your review and use. If it is not, please do not hesitate to contact me further. I am also including a binder with the other required sections (Fax Back pages, resource plan, implementation plan, budget documentation, tech plan, etc.) EMUHSD appreciates all the assistance that the SLD has provided for technology through the Universal Service E-Rate program.

Sincerely,

Nick Salerno
Assistant Superintendent
El Monte Union High School District
El Monte, CA 91731
(626) 444-9005
nsalerno@emuhsd.k12.ca.us

EL MONTE DISTRICT EXHIBIT 5